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June 9, 2014

Honorable Leonard D. Wexler
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Reed v. Garden City Union Free School Dist., et al.*
Docket No.: CV-12-4195 (LDW)(GRB)
File No.: 110075

Dear Judge Wexler:

This firm represents all defendants in the above-referenced case.


We write to alert the Court that one of defendants' non-party witnesses, Kathryn Rigley, may not be available to testify at trial due to her out-of-state employment. Ms. Rigley, a teacher at Garden City High School, will be teaching full-time during the summer at Taft School, a boarding school in Watertown, Connecticut from the end of June through mid-August. Although we originally believed that Ms. Rigley would be able to return to testify, we are now concerned that, depending on the dates of the trial, appearing in person would pose a hardship for her.

Accordingly, we seek the Court's permission to offer videotaped testimony from Ms. Rigley in the event that she becomes unavailable for trial. Plaintiff's counsel has consented. Ms. Rigley's testimony will be brief but important to the defense of this case. We anticipate that Ms. Rigley will testify to her observations of inappropriate conduct by Mrs. Reed that contributed to the defendants' decision not to invite her back to work for the next school year.

Thank you for your consideration.

Respectfully submitted,

SOKOLOFF STERN LLP


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